



Voting Information News

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Voting Assistance Officers

“To Do” This Month:

☑ Make sure you have received your copy of the *2004-05 Voting Assistance Guide*. If you have not received one yet, contact your State Dept. or Service Voting Action Officer (SVAO) immediately at the number listed on page 3 of this newsletter or through the Web at www.fvap.gov.

☑ Conduct an orientation for all members of your organization on the importance of voting in primary elections. Be sure you have participation by senior level military and State Department managers.

☑ Distribute Federal Post Card Applications (FPCAs) to all members of your unit and family members and overseas citizens who did not receive their FPCAs in January. Coordinate with local organizations so they can emphasize the importance of voting at their next meeting. Visit www.fvap.gov for on-line materials and help.

*A roundup of voting news from the Federal Voting Assistance Program (FVAP)
For voters, potential voters and those who assist voters.*

Voting Residency Guidelines for **UOCAVA** Citizens

During the course of an election year, the Federal Voting Assistance Program (FVAP) receives numerous queries from citizens voting under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) regarding their state of residence for voting purposes. While the issue of voting residency can be complex, the following are general guidelines for helping members of the Uniformed Services, the merchant marine and their family members and all overseas civilian citizens determine their state of legal residence for voting purposes.

Uniformed Services & Family Members

Foremost, you should keep in mind that Uniformed Service personnel and their family members may not arbitrarily choose which state to declare as their legal voting residence without meeting the state’s residency requirement. The following are basic guidelines to follow in determining residency for military personnel and their family members:

- One must have or have had physical presence in the state and simultaneously the intent to remain or make the state his/her home or domicile.
- One may only have one legal residence at a time, but may change residency each time he or she is transferred to a new location. One must make a conscious decision to change residency; it cannot be done accidentally. There must be certain specific actions which may be interpreted as conscious decisions, e.g., registering to vote, registering a car, qualifying for in-state tuition, obtaining a driver’s license, etc.
- Once residence is changed, a person may not revert to the previous residence without re-establishing new physical presence and intent to remain or return.

“Home of Record” should not be confused with legal residence. “Home of Record” is the address a military member had upon entry into the Service. It does

not change. “Home of Record” and legal residence may be the same address, and usually are, when a person enters military service. It can remain so even though the person or his/her relatives no longer live at that location, as long as the military member has not established a legal residence elsewhere after entering on active duty. If a military member changes legal residence after entering on active duty, he/she may not revert to claiming the “Home of Record” as legal residence without re-establishing physical presence and intent to remain in or return to that state.

Family members of active duty military personnel may each have a different legal residence. **A spouse does not automatically assume the legal residence of the active duty member upon marriage.**

The spouse must meet the physical presence and intent to remain or return criteria. Minors typically assume the legal residence of either parent when they become 18. They also have the option of establishing their own legal residence which can be different from either parent, assuming they have met the guidelines of physical presence and intent to remain or return.

These are general guidelines for determining your legal residency for voting purposes. Consult your legal or JAG officer for specifics.

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**"To Do" This Month
(continued):**

☑ Ensure you have an adequate supply of Federal Write-In Absentee Ballots (FWABs) for deploying and OCONUS personnel and all private overseas citizens. Be aware that some states have expanded use of the FWAB to primaries and non-general elections. Consult the *Guide* for details.

☑ Be sure your installation or Embassy/Consulate telephone information operator has your name and telephone number for referrals.

☑ Check with communications and distribution centers or the voting officer at the next higher organizational level to ensure you are receiving voting information in a timely manner.

USMC Senior Service Voting Representative's Message

It's that time again, when the wheels of democracy are about to complete another revolution. It is time for those of us who have defended our country to exercise one of our most cherished freedoms, our right to vote. I encourage all Marines, Civilian Marines and their eligible family members to exercise your Constitutional right to vote.

Today's world is complicated, and it requires strong leadership. Our duty as U.S. citizens should be to exercise our right to VOTE. As Marines, we make Marines, Win Battles, and return responsible citizens. Voting is a duty of citizenship. Let's make sure our Marines and Marine families have the knowledge and opportunity to exercise their right. Our Country, Our Leaders, Our Choice! VOTE!

Voting Assistance Officers (VAO) are Marine leaders appointed by their commanders to educate, train, and inform members of the command and their families about voting procedures. Commanders will support and encourage the efforts of VAOs and ensure adequate time is provided for training. With the active support of commanders, VAOs can ensure that all Marines, Civilian Marines, and eligible family members will have the information they need to exercise their right to VOTE.

VAOs should ensure they achieve 100% contact with all Marines within their area of responsibility. Ensure that there are enough Federal Post Card Applications on hand and Federal Write-In Absentee Ballots for our deployed units. VAOs should ensure that voting information is widely disseminated. Statistics have indicated that particular attention should be given to our junior service members, E-1's through E-3's, particularly those who fall between the ages of 18-24. Voting information should be forwarded electronically, as much as feasible, and posted on bulletin boards throughout the unit. VAOs should conduct voting assistance and information events throughout the year, especially during Armed Forces Voters' Week. This shall

include local activities publicizing upcoming elections, focusing on the importance of voting, and procedures required to obtain and properly fill out absentee ballots to participate in the democratic process.

VAOs should ensure each eligible individual is afforded the opportunity to receive voting assistance as requested. This shall include assistance with all types of elections to include municipal, primary, and the Federal/Presidential election. This assistance will include absentee voting training for service members, especially for those service members preparing for deployment, as well as, for those in Recruit Training. The Federal Voting Assistance Program (FVAP) will be hosting voting workshops at various military installations. These workshops will provide training for all VAOs at every level, as well as for other interested Marines, their eligible family members and civilians.

While much of our focus is on active duty service members, we should not fail to also do all we can to facilitate the rights of our family members to exercise their right to vote. Often active duty service members retain connections to their home state and exercise their voting right in that home state. Family members may have a direct interest and wish to become involved in and vote on issues in their home state that may affect their future in their home state or the welfare of their children.

The Marine Corps website has more information that can assist VAOs in the execution of their duties, as well as provide insightful information for Marines, eligible family members and civilians desiring to exercise their right to vote. (www.manpower.usmc.mil, select 'Personal and Family Readiness (MR)' and then select 'voting') Additionally, you may contact the Service Voting Action Officer for the Marine Corps, Gunnery Sergeant Kenneth B. Warford at (703) 784-9511, DSN 278-9511 or via email at:

warfordkb@manpower.usmc.mil.



Voting Residency Guidelines for *UOCAVA* Citizens (continued)

Overseas Civilian Citizens

The following are voting residency guidelines for citizens residing outside the U.S. Your "legal state of residence" for voting purposes is the state you last resided immediately prior to your departure from the U.S. This right extends to overseas citizens even though they may no longer own property or have other ties to their last state of residence and their intent to return to that state may be uncertain.

Keep in mind that exercising your right to vote in elections *for Federal offices only* does not affect the determination of residence or domicile for purposes of any tax imposed under Federal, state or local law. **Voting in an election for Federal office only may not be used as the sole basis to determine residency for the purposes of imposing state and local taxes.** If you claim a particular state as your residence and have other ties with that state *in addition to voting*, then you may be liable for state and local taxation, depending upon that particular state law. Appendix E of the *2004-05 Voting Assistance Guide* contains information on probable tax obligations. Consult your legal counsel for specific questions.

Voting Assistance Officers at Embassies/Consulates will assist overseas U.S. citizens in obtaining and

completing Federal Post Card Application (FPCA) requests for registration and absentee ballot; witnessing or notarizing FPCA forms (if required); and, providing other absentee voting information as needed. Embassy/Consulate locations serve also as postage-free mailing points for FPCA forms and other election materials to be mailed back to your local voting jurisdiction in the U.S. where absentee registration and ballot requests are actually processed. Organizations of American citizens overseas such as Democrats Abroad, Republicans Abroad, etc. and overseas corporations have the voting materials necessary to assist citizens in requesting registration and ballot.

Always, when completing the FPCA, be sure to consult the appropriate state section in Chapter 3 of the *Guide* and complete the residence section of the form by entering the complete street address of your last residence in that state, including your street or rural route and number. If using a rural route number, include specific information on the location of residence. Your right to vote in your state and determination of voting precinct depend on your physical residence while you were within that state.



Voting Action Officers

Department of State: Office of Overseas Citizens Services

Chief VAO: Mr. Jack Markey, **tel:** (202) 736-4937, **fax:** (202) 647-6201, **E-mail:** markeyjd@state.gov
Deputy VAO: Ms. Bonita Harris, **tel:** (202) 647-5435, **fax:** (202) 647-6201, **E-mail:** harrisbg@state.gov

Service Voting Action Officers

U.S. Dept. of the Army: Mr. James Davis **tel:** (703) 325-4530 **DSN:** 221-4530; **fax:** (703) 325-4532
DSN fax: 221-4532; **E-mail:** davisj@hoffman.army.mil,
<https://www.perscomonline.army.mil/tagd/pssd/psb/voting/votingindex.htm>

U.S. Dept. of the Navy: LCDR Mark Lofton **tel:** 1-866-U-ASK-NPC (827-5672); **DSN:** 882-4606, **fax:** (901) 874-2785,
DSN fax: 882-2785; **E-mail:** MILL_navyvote@navy.mil, **http:**://www.persnet.navy.mil/nvap

U.S. Dept. of the Air Force: Lt. Col. Lee Shick **tel:** (210) 565-2338 (MSgt. Julie Schlip), **toll free:** 1-866-229-7074 (select option 4, then 6 from menu), **DSN:** 665-2338; **fax:** (210) 565-2543, **DSN fax:** 665-2543;
E-mail: afpc/dpsfvotingpgmdlist@randolph.af.mil; **http:**://www.afpc.randolph.af.mil/votefund/

U.S. Marine Corps: GySgt Kenneth B. Warford **tel:** (703) 784-9511, **DSN:** 278-9511;
fax: (703) 784-9827, **DSN fax:** 278-9827; **E-mail:** warfordkb@manpower.usmc.mil
https://lnweb1.manpower.usmc.mil/manpower/mi/mra_ofct.nsf/mrp/Voting+Home

U.S. Coast Guard: YNCS Lori McNaught **tel:** (202)-267-1636, **fax:** (202) 267-4823;
E-mail: LMcNaught@comdt.uscg.mil, **http:**://www.uscg.mil/hq/g-w/g-wp/g-wpm-1/VotingAssistance/Voting_Assistance.htm

All of the above can also be reached through the DoD Voting Information Center and the FVAP Website.

Federal Voting Assistance Program

Department of Defense
1155 Defense Pentagon
Washington, DC
20301-1155

PHONE:
(703) 588-1584
DSN 425-1584

FAX:
(703) 588-0108
DSN 425-0108

VOTING INFORMATION
CENTER:
(703) 588-1343
DSN 425-1343

TOLL FREE:
1-800-438-VOTE (8683)

*Visit our website for
international toll-free phone
and fax numbers.*

E-MAIL:
vote@fvap.ncr.gov

Website:
www.fvap.gov

Vote!

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Election Schedule Changes

Washington State Cancels Presidential Primary Election

Washington State has cancelled and will not hold the Presidential Primary on March 2, 2004. This does not affect the State Primary. The State Primary will be held as scheduled, on September 14, 2004. Please update your Election Dates calendar/poster, Voting Assistance Guide and other files as applicable. For further information, Washington voters may contact the political party of their choice (Democratic, Republican and Libertarian) through their local County Auditor. County Auditor contact information is found on the Secretary of State elections website at: <http://www.secstate.wa.gov/elections/>. Click on County Auditors & Election Departments under "Elections Contacts".

Please visit the FVAP website for updates to the 2004 Primary Election Calendar.

Kentucky To Hold a Special Election on February 17, 2004 for Representative in Congress from the 6th District

On Tuesday, February 17, 2004, there will be a special election in the Kentucky 6th Congressional District to fill the seat

vacated by Congressman Ernest (Ernie) Lee Fletcher who has been elected Governor. All members of the U.S. Uniformed Services, their family members and citizens residing outside the U.S. who are Kentucky residents from the 6th District should request a ballot for this special election by completing and submitting a Federal Post Card Application (FPCA), SF-76, as soon as possible, if you have not done so already in calendar year 2004.

The 6th Congressional District consists of Anderson, Bourbon, Boyle, Clark, Estill, Fayette, Franklin, Garrard, Jessamine, and part of Lincoln, Madison, Mercer, Montgomery, Powell, Scott and Woodford counties. The County Clerk must receive applications for registration and request for absentee ballot not later than **January 20, 2004**. If you are already registered the County Clerk must receive your absentee ballot request not later than **February 10, 2004**. To determine whether you are in above Congressional Districts, you can click on "Communicating With Your Elected Officials", then "Who is my Representative?" at the Federal Voting Assistance Program (FVAP) website, www.fvap.gov.

Federal Voting Assistance Program
Department of Defense
1155 Defense Pentagon
Washington, DC 20301-1155



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